

Regular Session, 2009

HOUSE BILL NO. 644

BY REPRESENTATIVES TALBOT, LABRUZZO, LIGI, LOPINTO, AND WILLMOTT
AND SENATORS APPEL, MARTINY, AND MORRELL

AN ACT

To enact R.S. 33:1236(49)(f), relative to Jefferson Parish; to provide for the enforcement of local building and property law and ordinance violations by adding judgments for such violations to the ad valorem tax rolls of the parish or municipalities therein; to provide for the adoption of ordinances and procedures for adding judgments to the ad valorem tax rolls; to provide for collection and enforcement of said judgments; to provide for a designated proper party defendant in actions to contest the levy; to provide for the continued enforceability of such judgments; and to provide for related matters.

Notice of intention to introduce this Act has been published
as provided by Article III, Section 13 of the Constitution of
Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:1236(49)(f) is hereby enacted to read as follows:

§1236. Powers of parish governing authorities

The police juries and other parish governing authorities shall have the following powers:

* * *

(49)

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(f)(i) Notwithstanding any other provision of law to the contrary, if the owner of any lot containing a derelict building, dwelling, or other structure fails to repair or demolish any such building, dwelling, or structure as required by an order

1 ~~or judgment from a court of competent jurisdiction, all contempt fines, other fines,~~
2 ~~and court costs charged to such owner for failure to comply with such order or~~
3 ~~judgment may be added to the ad valorem tax bills by the governing authorities of~~
4 ~~the parish of Jefferson and the municipalities therein in accordance with the~~
5 ~~provisions of this Subparagraph.~~

6 (ii) Notwithstanding any other provision of law to the contrary, if the owner
7 of any lot containing a zoning, property maintenance, or other ordinance violation
8 or violation of state law relative to the property fails to remedy the violation as
9 required by an order or judgment from a court of competent jurisdiction or as a result
10 of an administrative adjudication hearing, all contempt fines, other fines, and court
11 costs charged to such owner for failure to comply with such order or judgment may
12 be added to the ad valorem tax bills by the governing authorities of the parish of
13 Jefferson and the municipalities therein in accordance with the provisions of this
14 Subparagraph.

15 (iii) The governing authorities of the parish of Jefferson and the
16 municipalities therein may adopt ordinances establishing procedures governing the
17 placement of contempt fines, other fines, and court costs charged to an owner on the
18 ad valorem tax bills of the parish or the municipality.

19 (iv) The contempt fines, other fines, and court costs shall be collected at the
20 same time and in the same manner as ad valorem taxes on property subject to
21 taxation.

22 (v) Contempt fines, other fines, and court costs that have been added to the
23 ad valorem tax bills of Jefferson Parish shall be enforced with the same authority and
24 be subject to the same penalties and procedures as unpaid ad valorem taxes and shall
25 have the same ranking as an ad valorem tax lien on immovable property as provided
26 in R.S. 9:4821(1).

27 (vi) The sheriff of the parish or the appropriate entity that collects taxes shall
28 be reimbursed by the governing authority of the parish in an amount equal to fifteen
29 percent of the amount for contempt fines, other fines, and court costs actually
30 collected from the property owner. The collection charge shall be in addition to such

1 charges for contempt fines, other fines, and court costs and also shall be added to the
2 ad valorem tax bill for such property.

3 (vii) Jefferson Parish shall be the sole and proper defendant in any action
4 authorized by law to contest the addition of such charges for contempt fines, other
5 fines, court costs, and collection to the ad valorem tax bills of the parish. The
6 municipality shall be the sole and proper defendant in any action authorized by law
7 to contest the addition of such charges for contempt fines, other fines, court costs,
8 and collection to the ad valorem tax bills of the municipality.

9 (viii) Notwithstanding any other provision of law to the contrary, including
10 but not limited to R.S. 13:3888, if the owner of any lot containing a derelict building,
11 dwelling, or other structure fails to repair or demolish any such building, dwelling,
12 or structure as required by an order or judgment from a court of competent
13 jurisdiction or if the owner of any lot or structure containing a zoning, property
14 maintenance, or other ordinance violation or violation of state law relative to the
15 property fails to remedy the violation as required by an order or judgment of a court
16 of competent jurisdiction or as a result of an administrative adjudication hearing, all
17 final orders and judgments shall remain enforceable and executory including all
18 contempt fines, other fines, and court costs charged to such owner for failure to
19 comply with such order or judgment that may be added to the ad valorem tax bills
20 by the governing authority of the parish or municipality in accordance with the
21 provisions of this Subparagraph.

22 (ix) Notwithstanding any other provision of law to the contrary, including
23 R.S. 13:691, the parish of Jefferson may compensate the judge of the court and
24 docket established by R.S. 13:621.24.1 for the court's additional environmental
25 docket.

26 * * *

27 Section 2. If any provision or item of this Act, or the application thereof, is held
28 invalid, such invalidity shall not affect other provisions, items, or applications of the Act
29 which can be given effect without the invalid provision, item, or application and to this end
30 the provisions of this Act are hereby declared severable.

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____